

GOVERNMENT OF ANDHRA PRADESH

A B S T R A C T

R&B – Arbitration – Arbitration matters filed by and against Government – CRP No.3061 of 1994 and CMP No.18925 of 1994 - Orders of Hon'ble High Court – Amicable settlement through negotiations – Amount Sanctioned – Orders – Issued.

TRANSPORT, ROADS AND BUILDINGS (R.I) DEPARTMENT

G.O.Ms.No. 126

Dated:26.08.2010.

Read the following:

1. G.O.Rt.No.1424, T.R & B Dept., Dated:16.10.2007.
2. Orders of the Hon'ble High Court of A.P., Dated:18.06.2007
3. Minutes of the meeting of Arbitration Committee held on 19.10.2009 in the Chambers of Prl. Secy. to Govt., R&B Dept..
4. From the ENC (R&B) Admn. & NH, Lr.No.37841/DCE-1(D)NH/DEE-1/2008, Dated: 16.09.2009, & 23.02.2010.

O R D E R:

Government have constituted a Committee for attempting an amicable settlement of Arbitration Matters pending in the Courts pertaining to Roads & Buildings Department in the reference 1st read above.

2. The Hon'ble High Court of A.P. in its order Dated: 18.06.2007 has directed the respondent-claimant to approach the Principal Secretary of the Department concerned by filing appropriate comprehensive representation and make an effort to conciliate and settle the claim.

3. Keeping in view of the Orders of the Hon'ble High Court of A.P. Government through the Committee has attempted to settle the matter amicably i.e. through negotiations with the contractor. Accordingly after several negotiations with the Contractors/Claimants has arrived at a maximum consensus during its final meeting on 19.10.2009 held in the Chambers of Principal Secretary to Government, Transport, Roads & Buildings Department.

4. In the meeting held on 19.10.2009, Smt. N.S.Annapurna, W/o Late N.S.Venkateswarlu, Managing Partner, M/s Venkateswara Constructions Company, has given her consent to receive Rs.45.00 Lakhs (Rupees Forty Five Lakhs only) towards final settlement in the CRP No.3061 of 1994 and CMP No.18925 of 1994.

5. Government after careful examination of the matter, and keeping in view of the Orders of the Hon'ble High Court of Andhra Pradesh, hereby settle the matter in the interest of Government and the Contractor/Claimant to amicably resolve the long pending dispute by paying negotiated lump sum amount of Rs.45.00 Lakhs (Rupees Forty Five Lakhs Only) towards final settlement in the CRP No.3061 of 1994 and CMP No.18925 of 1994 for the work "Forming approaches to the ROB at Tuni Bypass at km 424/1-2 of NH-5 of Old Madras-Calcutta road of NH-5" to Smt. N.S.Annapurna, W/o Late N.S.Venkateswarlu, Managing Partner M/s Venkateswara Constructions Company.

6. The Engineer-in-Chief (R&B) Admn. & NH is requested to meet the amount sanctioned in para-5 above from provision of Rs.154.40 Crores made in B.E. 2010-11 under the Head "5054- Capital Outlay on Roads & Bridges 04-District & Other Roads, 800-Other Expenditure – G.H.11- Normal State Plan - SH (04) 530 Major Works 531 Other Expenditure".

7. The Engineer-in-Chief (R&B) Admn. & NH, shall take further necessary action in the matter by making payment to the claimant, subject to withdrawal of cases if any pending in the Hon'ble High Court in the matter.

8. This order issues with the concurrence of Law Dept. and Finance Dept. vide their U.O.No. 1940/LSP/2010, Dated:01.04.2010 and U.O.No. 18358/513/A2/Expr. PW/10, Dated: 23.07.2010.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

D.LAKSHMI PARTHASARATHY,
PRINCIPAL SECRETARY TO GOVERNMENT

To:

The Engineer-in-Chief (R&B) Admn. NH, Hyd.

The Hon'ble High Court of Andhra Pradesh, Hyd.

The Advocate General, High Court of A.P., Hyd.

Smt. N.S.Annapurna, W/o Late N.S.Venkateswarlu,

Managing Partner, M/s Venkateswara Constructions Co.

The Accountant General, Govt. of A.P., Hyd.

The Director of Works Accounts, Hyderabad

Copy to:

The P.S. to M(R&B)

The P.S. to Prl. Secy. to Govt., T.R & B Dept.

The Finance (Expr. PW) Dept.

//FORWARDED BY ORDER//

SECTION OFFICER